

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 1:22-cr-137

TOREZ ZARON BURNETT,

Hon. JANET T. NEFF

United States District Judge

Defendant.

_____ /

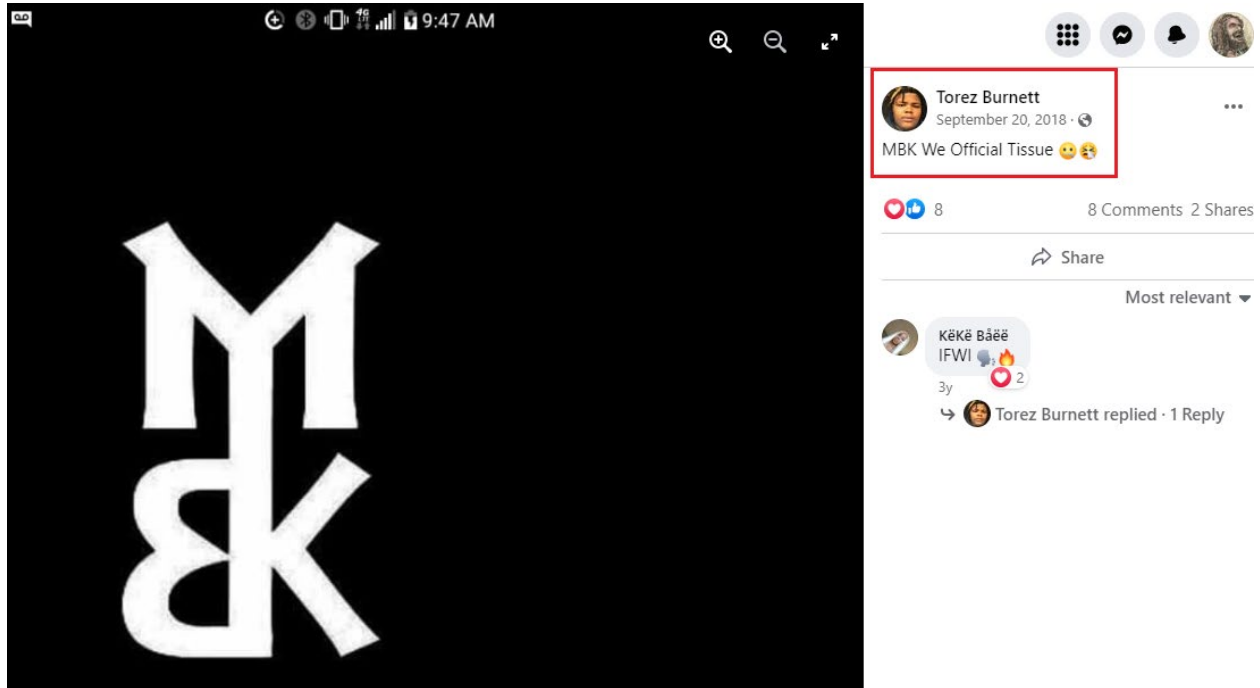
GOVERNMENT'S SENTENCING MEMORANDUM

Defendant was the leader of a conspiracy to obtain and distribute conversion devices to gang members and others throughout Benton Harbor and the Western District of Michigan. These switches converted semiautomatic pistols into fully automatic machineguns, capable of indiscriminately spraying a thousand rounds of ammunition per minute. A substantial sentence is necessary to punish Defendant and afford adequate deterrence to prevent others from engaging in similar conduct.

Factual Summary

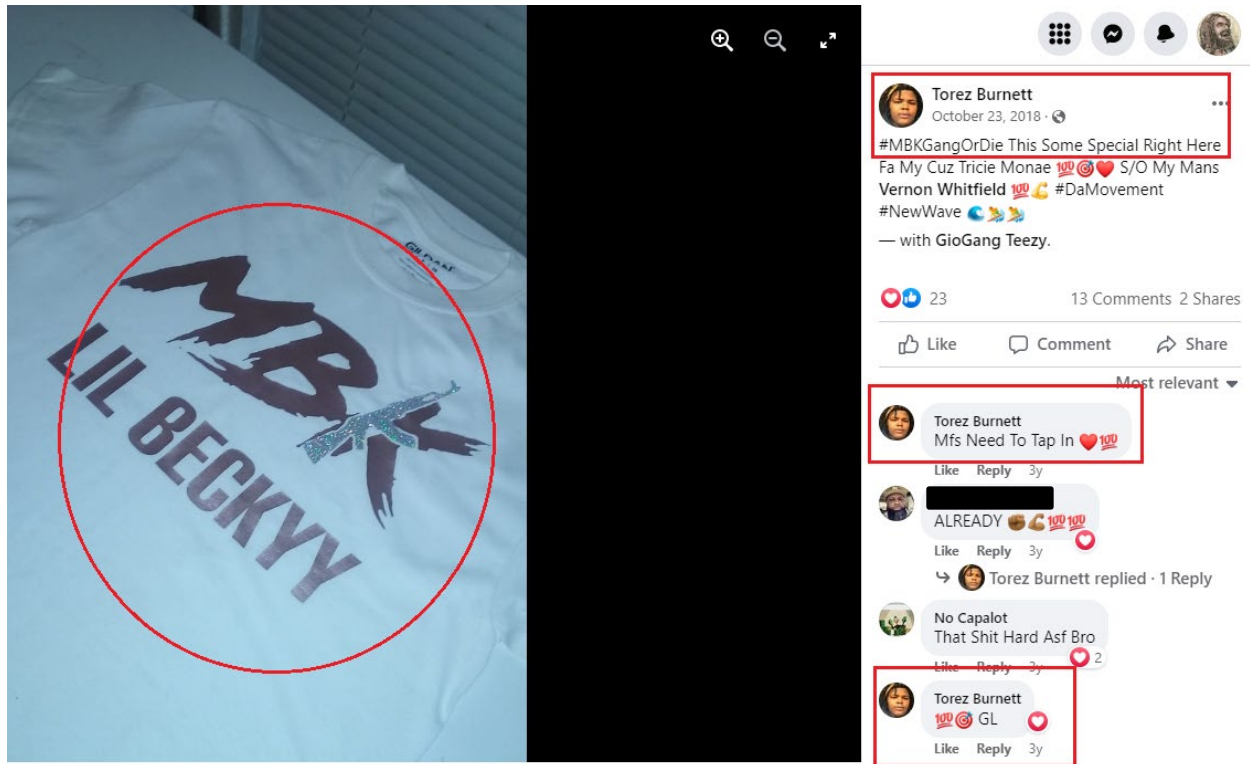
Torez Burnett and Quincy Bowman imported switches from China. (PageID.1615.) Switches are conversion devices that can be installed on a semiautomatic pistol to make the gun fire more than one shot automatically, without manual reloading, by a single function of the trigger. (PageID.1615.) When a switch is installed on a pistol and the trigger is pulled, the pistol will fire until the trigger is released or the magazine is empty, firing over 1,000 rounds per minute. (PageID.1615-16.)

In an October 2018 Facebook post, Torez Burnett self-identified as a member of My Brother's Keeper ("MBK"), a violent Benton Harbor street gang. (PageID.1617.)¹

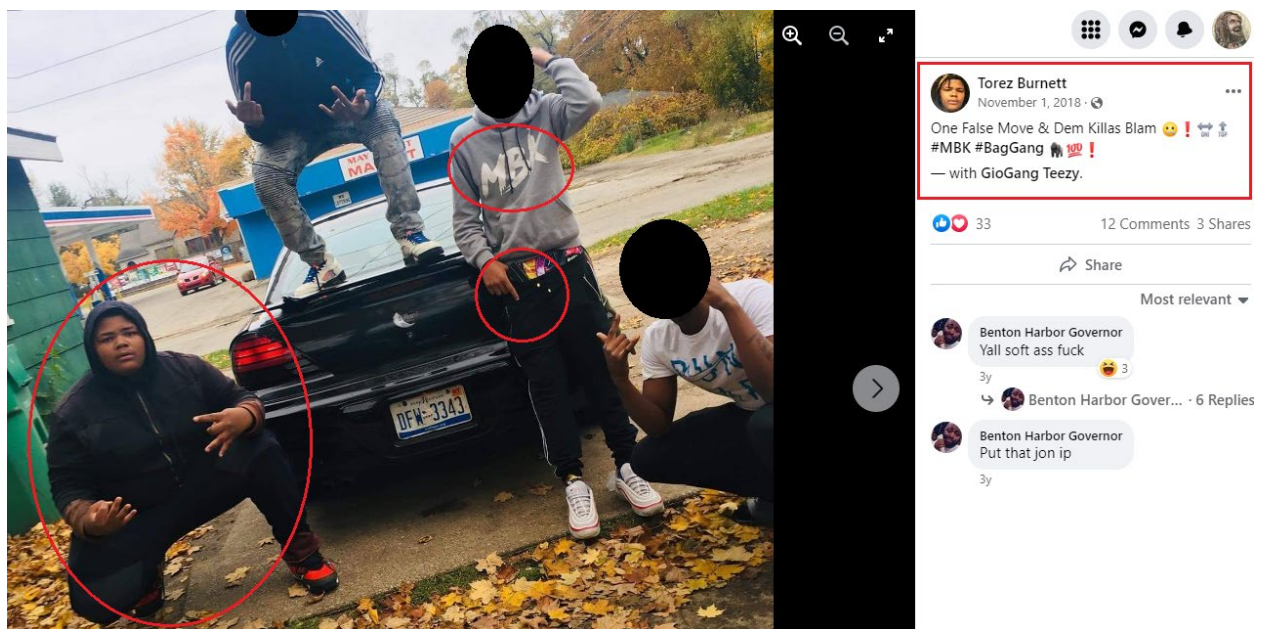


In another post, he wrote “#MBKGangOrDie” and “Mfs Need to Tap in.” (*Id.*)

¹ For example, in August 2021, MBK shot a rival's house approximately 70 times, wounding a 3-year-old child inside. (PageID.1618).



The following month, he posted another picture with other members of MBK, at least one of whom had a pistol, and wrote, “One False Move & Dem Killas Blam.” (Id.)



Burnett provided switches to fellow members of MBK, including codefendants Jayvon Anthony, Demarcus Greely, and Demitrius Seuell. (PageID.1615.) Burnett and Bowman also sold switches to other people who were not affiliated with MBK, such as codefendants Eric Williams and Omarion Branch. (*Id.*)

In December 2021, investigators found a switch in Burnett's house, along with a rifle and pistol parts; two high-capacity "drum magazines"; and a pistol in a state of partial disassembly that was ready to be fitted with a switch. (PageID.1618-19.) Three months later, in March 2022, investigators intercepted a package containing ten switches destined for Burnett and Bowman. (*Id.*) Shipping records indicated that, in February 2022, two similar packages were delivered to Bowman's home from the same province in China. (PageID.1619-20.)

Even after getting caught twice, Burnett was undeterred and continued to traffic switches. On July 23, 2022, Burnett messaged Seuell, "[B]ring dem switches too so I can swap 'em." (PageID.1626.) Seuell was caught with a gun and switch four days later. (*Id.*) In August 2022, Burnett was still purchasing switches for a "war":

Daven:	I still got you got some metal ones coming in about to trade 20 for 10 metals
Burnett:	Bet just lmk
Burnett:	Wtw
Daven:	Metal ones ain't came in yet still waiting I can slide with them ones tho if u don't want to wait for them ones
Burnett:	Nah ima wait I'm inna war Fr

Guideline Objection

Defendant objects to the enhancement in his base offense level, pursuant to U.S.S.G. § 2K2.1(a)(4)(B), for being a prohibited person (as a drug user) in possession of a firearm. The United States defers to the Court's discretion on this issue.

Sentencing Recommendation

Over a long period of time, Defendant supplied machinegun switches to violent criminals. These switches drastically increased the harm and danger inherent in each shooting. Defendant did this out of allegiance to his street gang and for personal, financial benefit.

Switches have become a rampant problem in Michigan and elsewhere. They can be purchased cheap and easily from overseas, and installed quickly. A substantial prison sentence is necessary to deter other people from using switches and, more specifically, trafficking them in the way that Defendant did.

Respectfully submitted,

MARK A. TOTTEN
United States Attorney

Dated: September 18, 2023

/s/ Jonathan Roth
JONATHAN ROTH
PATRICK CASTLE
Assistant United States Attorneys
United States Attorney's Office
P.O. Box 208
Grand Rapids, Michigan 49501
(616) 456-2404